

EX PARTE OR LATE FILED

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

ORIGINAL

FILE

8 FEB 1993

mm Docket 92-266

IN REPLY REFER TO:

8310-MEA
CN9300264

RECEIVED

FEB 10 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Howell Heflin
United States Senate
728 Hart Senate Office Building
Washington, DC 20510

Dear Senator Heflin:

Thank you for your letter on behalf of several constituents who complain about rate increases by their local cable television operators.

The Commission has a clear understanding that Congress adopted the Cable Act of 1992 to constrain unreasonable cable rates. The Commission is in the process of formulating rules implementing the rate provisions of the law and is seeking public comment on those provisions that address rate rollbacks, refunds, and evasions of statutory requirements. The Commission will attempt to implement these provisions faithfully, and will consider the conduct of the cable industry during the interim period in deciding what kind of regulation is needed.

Your constituents' letters will be placed in the record of this proceeding so that the Commission can be mindful of their concerns during its deliberations. I trust that the foregoing and the enclosures are informative.

Sincerely,

Roy J. Stewart

Roy J. Stewart
Chief, Mass Media Bureau

Enclosures

No. of Copies rec'd 0
LRIAB CDE

Congressional

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
01/28/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300264	01/28/93	01/21/93	02/10/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Howell Heflin	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. re: rate regulation & 92 Cable Act

REF TO	REF TO	REF TO	REF TO
MMB	Eaf	C4I	

DATE	DATE	DATE	DATE
01/28/93	1-28-93	1-28	

REMARKS:

28 JAN REC'D

HOWELL HEFLIN
ALABAMA

United States Senate

WASHINGTON, DC 20510-0101

MMB
catv-rates
264

January 21, 1993

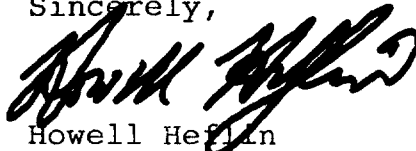
Federal Communications Commission
Office of the Chairman
1919 M Street, NW
Washington, DC 20554

Dear Mr. Chairman:

I have enclosed letters from cable customers in Alabama who are upset about recent rate increases in advance of the imposition of regulations on April 1. I trust that you will be monitoring this situation very closely, and that you will take appropriate action to safeguard cable consumers from unreasonable rate increases. I appreciate your attention to this matter.

With kindest regards, I am

Sincerely,



Howell Heflin

HH/th

Enclosures

Jan 11, 1993

Honorable Senator Howell Heflin

Dear Sir

I heard a lot about T.V. Cable Service during the last Congress. I wonder if any thing has ~~been~~ changed. My reason for asking my bill from Comcast has jumped quite a bit Jan 91 - Was 15⁵⁵

Jan 92 19⁰⁵ Jan 93 20⁸⁰ I'm a Charter member Witch is a bit smaller.

In the last year I believe that figures 970.

It seems to me Competition should be Allowed to come in or they should come under Public Service Commission. The last 2 years they have had a 33% raise.

Thanking you so much
Allen Louloux

PS I talked with you at Gronville's funeral and we appreciate you taking time to attend.



MR. RUSSELL WATSON
2325 FARLEY PL.
BIRMINGHAM, AL 35226

To: *H. H*

From: *KW -*

Enston

*Can't we get
legislation to freeze these*

increases?

** 4/21/90*

last 6 yrs

[Signature]

SINGAPORE AIRLINES

n

RATE

OFFICE OF THE ATTORNEY GENERAL
1992 OCT 21 PM 12:26

Basic Cable — \$19.00

Applicable franchise fees and taxes will apply to all services.

Prices for Other Services

HBO - \$12.70

Showtime - \$11.20

Cinemax - \$11.70

Disney - \$11.20

Encore - \$1.50

Converter W/Remote - \$4.00

The Cable Guide - \$1.00

Expanded Basic - \$2.65

*** Reduced Rates are Available for Multiple Premium Services ***



TCI Cablevision of
Alabama, Inc.

We're taking television into tomorrow.

Alabama T.V. Cable, Inc.

Hoover/Vestavia/Riverchase 822-8731

Homewood 942-2922

Tarrant/Center Point 841-0492

Hueytown/Fairfield/

Midfield/Pleasant Grove 491-9303

Pricing, programming and packages are subject to change.

B293

Cable's Still A Great Buy.

Cable television is one of the best entertainment values your money can buy.

As a valued customer, we want to inform you of some changes to your cable service. In 1992, our costs for programming, technology, and general operating expenses have risen more than the increase in the cost of living. In 1993, we are adjusting our rates by the regional cost of living index, plus cost increases from program suppliers. This will enable us to continue bringing you the quality service and entertainment you value.

As you may know, Congress recently adopted legislation which extends greater regulation over cable television rates. The Federal Communications Commission is expected to adopt rate regulation guidelines and rules by mid 1993. Based on current information, we believe the rate adjustments we are taking are consistent with the provisions of the new law.

We regret we cannot yet answer all your questions on the new legislation until the FCC acts. We are committed to complying with the new rules — and doing all we can to make cable television programming and service even better.

Please refer to the back panel for the new rates and their effective date.

Notice to Customers

8795-5800

When the Federal Communications Commission (FCC) issued its new technical standards in 1992, it adopted regulations which require all cable television operators to establish a process for resolving complaints from customers about the quality of the television signals delivered and to notify customers of those procedures.

We are dedicated to providing quality cable television service to our customers and to assuring that each problem is immediately resolved to the customer's satisfaction. These customer service procedures, in addition to many other issues, are covered in material provided to you at the time of installation and generally annually after you've become a customer.

This notice summarizes some of the procedures that you need to know to help us resolve complaints you may have about the quality of the television signals delivered:

1. Our business office is open weekdays, except holidays, from 8:00 a.m. - 6:00 p.m. and on Sat. from 9:00 a.m. - 5:00 p.m. for customer visits and telephone calls. In addition, we can be reached by telephone 24 hours a day, every day of the year. Our telephone number is printed on your monthly bill.
2. When you call about a service problem during normal business hours, a Customer Service Representative (CSR) will attempt to determine the nature of the problem. If possible, the CSR will help you resolve the problem over the phone. If the problem cannot be resolved during the call, the CSR will schedule a Service Technician to visit your home, usually within 24 hours of the time of the call, excluding weekends and holidays. There is currently no charge for service calls if the problem is caused by our equipment. If our workload permits, the service call will be dispatched for same-day service.
3. If you call about a service problem outside of regular business hours, the call may be answered by a regional phone center, answering service or answering machine. Please leave both your home and work telephone numbers. When possible, a Service Technician will be dispatched right away to fix the problem. In all other cases, the regional phone center, answering service or answering machine will forward the information to our office. We will call you during normal business hours the next working day to resolve the matter.
4. Emergencies that affect signal quality such as fallen utility poles, violent storms or very cold weather may interfere with reception of cable service. We are committed to have one of our crews promptly correct an emergency situation. We pledge immediate response at any time if a large area of the system is experiencing technical difficulties.
5. Our CSR's and Technicians are trained and have the authority to do whatever is reasonably necessary to solve a customer's problem or initiate the solution, including replacement of any non-operating equipment in order to provide quality service.
6. We will maintain complaint records for at least a one-year period. In addition, those records will be available for inspection by the franchise authority or the FCC.

If you are unable to get a problem resolved to your satisfaction at the local level, you may write or call our State, Division or Corporate Customer Relations Specialist with concerns and complaints.

In addition, if you are not satisfied with our handling of your complaint, you may contact the local franchising authority. The address of the responsible officer for your franchising authority is noted on the back.

City Clerk
City of Vestavia Hills
513 Montgomery Hwy.
Vestavia Hills, AL 35216

City Clerk
City of Hoover
P.O. Box 360628
Hoover, AL 35236

We urge that you call us anytime you have questions or concerns about your service, VCR hook-up questions or problems, or any other aspect of the cable television service which we take pride in providing to you.

14

MEMORANDUM

TO: ANNE BERRY

FROM: VERNA

DATE: January 7, 1993

RE: RATES GOING UP ON CABLE BILLS

WHY ARE CABLE BILLS GOING UP IN THE SHOALS? NOTIFICATION WAS NOT GIVEN PRIOR TO SENDING THE BILL, AND NO EXPLANATION WHY THE INCREASE. THIS PERSON TRIED CALLING JIMMY HALLENTINE TO ASK THESE QUESTIONS BUT WAS NOT ABLE TO REACH HIM.

MS. DOROTHY BURNS
RT. 8- BOX 127
FLORENCE, AL 35630

Mark Kellerman
111 Teks Street
Florence, AL 35633

BURN, D.

PATRICK J. LEAHY, VERMONT, CHAIRMAN

FRANK P. PRYOR, ARKANSAS
DAVID L. BOREN, OKLAHOMA
HOWELL HEFLIN, ALABAMA
TOM HARKIN, IOWA
KENT CONRAD, NORTH DAKOTA
WYCHE FOWLER, JR., GEORGIA
THOMAS A. DASCHLE,
SOUTH DAKOTA
MAX BAUCUS, MONTANA
J. ROBERT KERREY, NEBRASKA

RICHARD G. LUGAR, INDIANA
ROBERT DOLE, KANSAS
JESSE HELMS, NORTH CAROLINA
THAD COCHRAN, MISSISSIPPI
RUDY BOSCHWITZ, MINNESOTA
MITCH MCCONNELL, KENTUCKY
CHRISTOPHER S. "KIT" BOND,
MISSOURI
PETE WILSON, CALIFORNIA
SLADE GORTON, WASHINGTON

United States Senate

COMMITTEE ON
AGRICULTURE, NUTRITION, AND FORESTRY
WASHINGTON, DC 20510-6000

Dear Senators Heflin + Shelby,
Please vote "NO" on the cable TV bill. It will increase my monthly bills,
but I won't receive better service or more programs.

Name The Jacksons
Address 3913 St. Andrews E
Mobile, AL 36693

CABLE LETTER

Robert L. Clymer
28 St. Charles Square
Huntsville, AL 35801
4 January 1993

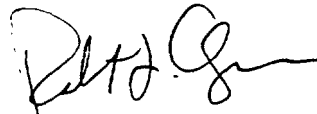
Senator Howell T. Heflin
728 Hart Senate Office Building
Washington, D.C. 20510

Sir,

COMCAST Cablevision in Huntsville, Alabama has again increased its basic rate, this time to \$19.50 per month, a 26% increase. Over the past four years, COMCAST rates have risen from \$7.50 per month to \$19.50 per month, a 260% increase. Since the quality of cable service has steadily eroded, an increase of this magnitude is hardly warranted.

With the recent passage of the cable television reregulation legislation, I strongly suspect that the cable television companies are trying again to stiff their customers before the legislation takes effect. I suggest that Congress force all cable television companies to roll back their rates to the days prior to passage of this legislation and institute a more realistic rate schedule. I would also strongly encourage Congress to give favorable treatment to the development of alternatives to the monopolistic practices of the cable television companies to generate marketplace competition.

Sincerely,



Robert L. Clymer

~~D. BARR~~

1993 JAN 27 PM 1:12
U.S. SENATOR HEFLIN

1993 JAN -7 PM 1:11
OFFICE OF SENATOR HIEFLIN

1-2-93

Honorable Howell Hefner
Washington D.C.

Dear Sir:

enclosed find copy of letter
from TCI Cablevision of Ala. of my
increase effective Feb 1, 1993

This should not be too much
increase

A. # 3.27 increase
per month for
basic service

Yours truly

Cooper O'Barr
1853 Buttercup Drive
Bham, AL 35226

~~JAMES D.~~

~~WATSON, R.~~

CLYMER, R.

Important Rate Information

**YOUR 1993 CABLE TV MONTHLY RATE
EFFECTIVE FEBRUARY 1
WILL BE**

Basic Cable — **\$19.00**

Applicable franchise fees and taxes will apply to all services.

Prices for Other Services

HBO - \$12.70

Showtime - \$11.20

Cinemax - \$11.70

Disney - \$11.20

Encore - \$1.50

Converter W/Remote - **\$4.00**

The Cable Guide - **\$1.00**

Expanded Basic - **\$2.65**

*** Reduced Rates are Available for Multiple Premium Services ***



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We're taking television into tomorrow.

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Homewood **942-2922**

Tarrant/Center Point **841-0492**

Hueytown/Fairfield/

Midfield/Pleasant Grove **491-9303**

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As you may know, Congress recently adopted legislation which extends greater regulation over cable television rates. The Federal Communications Commission is expected to adopt rate regulation guidelines and rules by mid 1993. Based on current information, we believe the rate adjustments we are taking are consistent with the provisions of the new law.

We regret we cannot yet answer all your questions on the new legislation until the FCC acts. We are committed to complying with the new rules — and doing all we can to make cable television programming and service even better.

Please refer to the back panel for the new rates and their effective date.

OFFICE HRS. M-F, 8-6. SAT. 9-5. FOR
REPAIR, CALL 444-9306, OTHER
INQUIRIES, 822-8731. 24 HRS. A DAY.

ACCOUNT NUMBER	SERVICE FROM	SERVICE TO	DATE DUE
8795 58 004 0031059	DECEMBER 27, 1992	JANUARY 26, 1993	01/06/93

DATE	SERVICE/TRANSACTION DESCRIPTION	AMOUNT
12/04	PREVIOUS BALANCE	23.50
	PAYMENT - THANK YOU	23.50 CR
	BASIC SERVICE	18.10
	EXPANDED BASIC	2.38
	NONADDRESSABLE CONVERTER	1.90
	FRANCHISE FEE	1.12
	AMOUNT DUE	\$23.50

Handwritten calculations:

$$\begin{array}{r}
 23.50 \\
 - 23.50 \\
 \hline
 0.00
 \end{array}$$

$$\begin{array}{r}
 23.50 \\
 + 2.65 \\
 + 1.90 \\
 + 1.12 \\
 \hline
 29.17
 \end{array}$$

$$\begin{array}{r}
 29.17 \\
 - 26.77 \\
 \hline
 2.40
 \end{array}$$

$$\begin{array}{r}
 2.40 \\
 + 0.87 \\
 \hline
 3.27
 \end{array}$$

$$\begin{array}{r}
 19.00 \\
 2.65 \\
 4.00 \\
 1.12 \\
 \hline
 26.77 \\
 23.50 \\
 \hline
 3.27
 \end{array}$$

increase

PAYMENTS RECEIVED AFTER DECEMBER 17 ARE NOT INCLUDED IN THIS STATEMENT

PREVIOUS BALANCE	PAYMENTS THANK YOU	CURRENT CHARGES	CREDITS	OTHER CHARGES (SEE ABOVE)	TAX/FEE	AMOUNT DUE
23.50	23.50	22.38	0.00	0.00	1.12	\$23.50

AN AMOUNT FOLLOWED BY A (CR) IS A CREDIT OR A CREDIT BALANCE

MEMORANDUM

TO: ANNE BERRY

FROM: VERNA

DATE: January 7, 1993

RE: RATES GOING UP ON CABLE BILLS

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MS. DOROTHY BURNS
RT. 8- BOX 127
FLORENCE, AL 35630

CLYMER, R.

January 11, 1993

J. Sloan, General Manager
Better Vision Cable Company
P.O. Box 900
Roanoke, Alabama 36274

Mr. Sloan:

I am in receipt of your letter, not dated, advising me of your latest rate increase.

Only a year or so ago, Better Vision Cable Company almost doubled the cost of just basic service and now Better Vision has increased my rate from \$18.85 to \$19.60.

My question is, how do you people justify almost doubling the rate a short time ago and now come along and increase the rate again?

Your transmission has not improved that much with your so called "system improvements" and your "customer service enhancements" because that is a joke as I can't get a "warm body" on the telephone when your so called "system improvements" fail to function so I can get a decent picture on my television. There are other stations trying to come in on the same channel, "snow" and other interruptions.

Also, Better Vision has moved channel 2-Atlanta- to channel 9, where the Columbus, Ga. channel was and on channel 2 now you have "Xpress Info" of which I do not want because Better Vision is charging me for a channel that I am not receiving...channel 9 out of Columbus, Ga..

I need that "Express Info" channel like I need a sore toe.

If I called every time that Better Vision's transmission "messed up" I'd be calling almost every day.

Would you like to know about some cases and points?

Probably not, but I'll tell you anyway.

1. Snow and lines across the screen during the national conventions on channel 7.
2. Many other times Better Vision's transmission was "messed up" between the conventions in November and December.
3. Just recently on December 29, channel 7 had "snow" from 7pm to 7:45pm and on channel 13 had lines across the screen and the picture was indistinguishable.
4. On January 5, 1993, channel 7, on the program "Nova" and on the program "Health Quarterly" there was "snow" through-out these two programs.

These are only a few and I did call Better Vision's office and I also called William Boyd to see if he could help with the problem.

Like I said before, if I called every time that I had reception problems, I would be calling almost every day. I should not have to do this.

Mr. Sloan, I cannot understand why Better Vision cannot furnish their subscribers with a service that is decent... the subscribers are surely paying for it but we are not getting our money's worth.

All I have to say is, I can't understand how you, in good conscience, could write a letter like you did and expect people to believe it, except for the increase in the rate... we can believe that.

I could care less about getting the two "new" channels... cartoon network and sci-fi channels... all I want is a decent picture and sound on all of the channels that I do get, of which I pay dearly for.

I will tell you this, as of January 11, 1993, I will be keeping a "log" book on your transmissions from 5pm until 11pm daily and I will have this "log " book real handy when I deduct a portion from my next bill that I get from you. The "log" book that I will keep will be notarized on a regular basis.

I know that I do have an option to subscribe or not to subscribe to cable television..."a half of a loaf is better than none at all" considering the faults of an outside antenna; however, your transmission can stand a lot of "enhancement" along with your customer service.

I would enjoy sharing some enthusiasm in this new year if Better Vision Cable would transmit quality reception and you should definitely renew Better Vision's commitment to us by furnishing their customers with the best quality transmission and service as this is the least your company can do since your company is charging an arm and leg for them.

This letter, if I were a wagering person, will not be read to this point; however, I did want to bring to your attention that in no place in your letter did you even mention that Better Vision is striving to furnish its customers with better quality picture transmission and not one time in the letter did you mention this or the quality of service that you intend to furnish.

I have been told by Better Vision's people that other channels override APT's signal and causes the "snow". I have been told that APT broadcasts on something other than microwave, etc.

You name it and I have been told it...~~ENOUGH IS ENOUGH!!~~

If you want to discuss this letter or any part of it, you can come to see me at my house as I am tired of calling and calling Better Vision's office when it should not be necessary to do so as often as I do...it is getting to be a joke.

Regards,

Eugene F. Blankenship
Eugene F. Blankenship
Route 1, Box 55-A
Roanoke, Alabama 36274

P.S.

I do hope that I will get a response from some or all of these folks that I am sending a copy of this letter... any help would appreciated to help put a stop to this rate gouging and get Better Vision to supply quality transmission and service like they are obligated to do.

CC/ENC.

James Cable Partners, Bloomfield Hill, Michigan
Congressman Glen Browder, Washington, D.C.
Senator Heflin, Washington, D.C.
Senator Shelby, Washington, D.C.
City Council Members, Roanoke, Alabama
City Clerk, Roanoke, Alabama
Mrs. Judy Stone, Executive Director, Alabama Public Television
Federal Communications Commission, Washington, D.C., Director
Consumer Protection Agency, Washington, D.C.
Consumer Protection Agency, State of Alabama
Better Business Bureau, Washington, D.C.
Better Business Bureau, Roanoke, Alabama

(Any of you folks "game" to "get your feet wet"with this?)

EAB

Better Vision Cable

P.O. Box 900
Roanoke, Alabama 36274

(205) 863-8112
1-800-239-5367

Dear Valued Customer,

As the General Manager of BetterVision Cable, I'd like to welcome you to an exciting new year of Cable Television! I'm looking forward to 1993 with confidence that it is going to be one of our best years yet! We're going to bring you more terrific programming and tremendous entertainment value.

As a result of system improvements, customer service enhancements and increased operational expenses such as postage, insurance, labor, utilities and most importantly programming, the following rates will apply effective January 1, 1993:

Basic Service (Channels 2-13)	\$19.60
Value Package (Channels 19-41)	4.15
Additional Outlet	3.50
Manual Converter	3.00
Remote Converter	4.00
HBO Premium Service	11.95
Cinemax Premium Service	9.95
The Disney Channel Premium Service	8.00

But be assured, even with this modest increase, cable television service will continue to be your best entertainment value. Please see the enclosed new channel line-up and rate card and keep it handy for future reference.

We at BetterVision are always striving to bring you the best in entertainment and educational programming. Effective January 1, 1993 all subscribers to Basic and Value Package will receive the new CARTOON NETWORK on channel 39 and SCI-FI CHANNEL on channel 41.

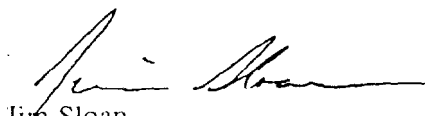
With the addition of the CARTOON NETWORK you will receive cartoon favorites from the Hanna-Barbera, MGM and Pre-1950 Warner Bros. libraries. We'll have some of the best cartoon characters on the air like Bugs Bunny, Popeye, The Flintstones, Yogi Bear and Tom & Jerry, just to name a few.

The SCI-FI CHANNEL brings you some of the greatest programming ever like E.T., Star Wars, Return of the Jedi, Batman, Home Alone, Ghostbusters and Terminator 2. With the SCI-FI CHANNEL you get a broad, but unique, identity, not only Science Fiction, but also Science Fact, Fantasy, Classic Serials, Animation and Horror.

As we previously reported to you, Congress recently adopted legislation which extends regulation over cable television rates, but provides us with no standards or guidance. The Federal Communications Commission (FCC) is expected to adopt guidelines and rules in a few months. This rate adjustment is in full compliance with the present law and Congress' instructions. When the FCC makes its guidelines known and effective, we will then make adjustments to our rates, if adjustments are required to meet those new standards.

I sincerely hope that you share our enthusiasm for the up-coming year as we renew our commitment to you — our customer. In 1993, we're going to give you the greatest entertainment, value and variety ever! Thanks for letting us serve you.

Sincerely,


Jim Sloan
General Manager

CHANNEL	STATION	NETWORK	LOCATION
2	LOCAL CHANNEL		
3	WTTO (21)	IND	BIRMINGHAM
4	WTBS (17)	IND	ATLANTA
5	WAGA (5)	CBS	ATLANTA
6	WBRC (6)	ABC	BIRMINGHAM
7	WCIQ (7)	PBS	CHEAHA
8	WGN (9)	IND	CHICAGO
9	WSB (2)	ABC	ATLANTA
10	WJSU (40)	CBS	ANNISTON
11	WGNX (46)	IND	ATLANTA
12	WSFA (12)	NBC	MONTGOMERY
13	WVTM (13)	NBC	BIRMINGHAM
14	HBO		
15	AMERICAN MOVIE CLASSICS		
16	CINEMAX		
17	ENTERTAINMENT TELEVISION		
18	DISNEY		
19	NICKELGDEON		
20	USA		
21	VH-1		
22	THE LEARNING CHANNEL		
23	ESPN		
24	CNN		
25	THE NASHVILLE NETWORK		
26	COUNTRY MUSIC TV		
27	HEADLINE NEWS		
28	TNT		
29	DISCOVERY		
30	ACTS		
31	LIFETIME		
32	MTV		
33	THE FAMILY CHANNEL		
34	THE WEATHER CHANNEL		
35	ARTS & ENTERTAINMENT		
36	QVC		
37	BET		
38	C-SPAN		
39	CARTOON NETWORK		
40	TRINITY BROADCASTING NETWORK		
41	SCI-FI CHANNEL		

Better Vision Cable

707 North Main Street
Roanoke, Alabama 36274

OFFICE OPEN 8:00 A.M. UNTIL 5:00 P.M. MONDAY-FRIDAY
CLOSED ON SATURDAY

PHONE 863-8112

1-800-239-5367

BASIC - CHNS 2-13	\$19.60
VALUE PACKAGE - CHNS 19-41	4.15
ADDITIONAL OUTLET	3.50
MAN. CONVERTER	3.00
REMOTE CONVERTER	4.00
PREMIUM SERVICES	
HBO	11.95
CINEMAX	9.95
DISNEY	8.00
STANDARD INSTALLATION FEES	
INSTALL (NEW WIRE)	50.00
INSTALL (PRE-WIRED)	30.00
RECONNECT	25.00
RELOCATE OUTLET	20.00
ADD OUTLET	20.00
INSTALL PAY	15.00

*PREMIUM SERVICE

Subscribing to either HBO, Cinemax or Disney will also give you Channels 15 and 17 FREE